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PATENT
Customer No. 22,852
Attorney Docket No. 03180.0329

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Haruko AKUTSU et al.) Group Art Unit: 2877
Application No.: 10/635,539)
Filed: August 7, 2003) Examiner: Hoa Q. Pham
For: APPARATUS AND METHOD FOR)
EVALUATING SEMICONDUCTOR)
MATERIAL)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In a restriction requirement dated March 22, 2006, the Examiner required restriction under 35 U.S.C. § 121 directed to the following allegedly patentably distinct species of claims: (a) claims 5-11 and 14-17; (b) claims 12 and 13; (c) claim 18, and (d) claim 19.

Applicants provisionally elect to prosecute Species (a), claims 5-11 and 14-17, without traverse.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 21, 2006

By: Darrell D. Kinder, Jr.
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